

Mr. BISHOP. Mr. Speaker, it was before the events of September 11 and its aftermath that a diverse group of House Members—including, Democrats and Republicans, Members from different regions, different backgrounds, and widely, differing viewpoints—began discussing the idea of drafting a resolution that focuses this often-contentious body and the country at large on the higher purpose that unites us all as American citizens and as children of God.

Little did we know how profound the need for such a focus would soon be.

The resolution we consider tonight asks that we seek the blessings of Providence for forgiveness, reconciliation, unity, and charity for every American in order to fulfill our country's purpose in bringing hope to the defenseless and freedom to the oppressed.

Our country is, in fact, the hope and inspiration of countless millions of people held in oppressed circumstances throughout much of the world.

At times, we Americans differ bitterly over policies. We have our own struggles over justice and opportunity for all. For more than two centuries, we have fought to make the promise of our Constitution a reality for every citizen, regardless of race, religion, gender, or national origin.

Yet, through it all, no country in the world has made a greater contribution or greater sacrifice to advance the cause of freedom and human dignity.

Tonight, our Nation and the free world face one of the greatest tests in our history. Let us stand together, in reconciliation and unity, as the "champion of hope, vindicator of the defenseless, and the guardian of freedom," here in America and across the world.

Mr. DOOLITTLE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HANSEN). Are there further requests for time? If not the question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 184, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### PROPERTY PROTECTION PROGRAM FOR POWER MARKETING ADMINISTRATIONS

Mr. CALVERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2924) to provide authority to the Federal Power Marketing Administrations to reduce vandalism and destruction of property, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2924

#### SECTION 1. PROPERTY PROTECTION PROGRAM FOR POWER MARKETING ADMINISTRATIONS.

(a) IN GENERAL.—The Administrators of the Western Area Power Administration, the Southwestern Power Administration, and the Southeastern Power Administration may each carry out programs to reduce vandalism, theft, and

destruction of property that is under their jurisdiction.

(b) PROVISION OF REWARDS.—In carrying out a program under this section, each Administrator referred to in subsection (a) is authorized to provide rewards (including cash rewards) to individuals who provide information or evidence leading to the arrest and prosecution of individuals causing damage to, or loss of, Federal property under their jurisdiction. The amount of any one such reward paid to any individual may not exceed a value of \$1,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. CALVERT) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Power Marketing Administration's Western Area Power Administration, Southwestern Power Administration, and Southeastern Power Administration are responsible for maintaining and operating over 18,000 miles of high-voltage electrical transmission lines, providing an important contribution to the movement of electrical power across our country. They also have hundreds of substations and communications sites, most located in remote areas. These facilities have been subjected to increased incidents of vandalism.

This bill would give the agencies authority to curb this threat to Federal property and our Nation's power infrastructure by vesting them with the authority to pay rewards to individuals that offer information leading to prosecution of vandals. These rewards would be limited to \$1,000 each and would be paid out of existing appropriations.

The Corps of Engineers, the Bureau of Reclamation, and Bonneville Power Administration already have such authority. Bonneville estimates that they save \$800,000 annually by successfully applying this program to protect Federal property. The Department of Energy has asked that we extend this authority to the other power marketing administrations, and I urge my colleagues to do so by adopting this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2924 would authorize the administrators of the Western Area and Southeastern and Southwestern Power Administrations to carry out reward programs to reduce vandalism and theft at their facilities. The bill would authorize agencies to offer up to \$1,000 to anyone providing information leading to the arrest and conviction of individuals charged with vandalism and/or theft at the three power market administrations. The Bonneville Power Administration has similar authority and its rewards program has helped reduce crime.

Mr. Speaker, the administration supports H.R. 2924. It is a worthwhile bill. I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

Mr. CALVERT. Mr. Speaker, I certainly urge the passage of the legislation. I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and pass the bill, H.R. 2924, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. CALVERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1600

#### LAW ENFORCEMENT AUTHORITY AT BUREAU OF RECLAMATION FACILITIES

Mr. CALVERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2925) to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation, as amended.

The Clerk read as follows:

H.R. 2925

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION. 1. LAW ENFORCEMENT AUTHORITY AT BUREAU OF RECLAMATION FACILITIES.

(a) PUBLIC SAFETY REGULATIONS.—The Secretary of the Interior shall issue regulations necessary to maintain law and order and protect persons and property within Reclamation projects and on Reclamation lands.

(b) VIOLATIONS; CRIMINAL PENALTIES.—Any person who knowingly and willfully violates any regulation issued under subsection (a) shall be fined under chapter 227, subchapter C of title 18, United States Code, imprisoned for not more than 6 months, or both. Any person charged with a violation of a regulation issued under subsection (a) may be tried and sentenced by any United States magistrate judge designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions and limitations as provided for in section 3401 of title 18, United States Code.

(c) AUTHORIZATION OF LAW ENFORCEMENT OFFICERS.—The Secretary of the Interior may—

(1) authorize law enforcement personnel from the Department of the Interior to act as law enforcement officers to enforce Federal laws and regulations within a Reclamation project or on Reclamation lands;

(2) authorize law enforcement personnel of any other Federal agency that has law enforcement authority (with the exception of the Department of Defense) or law enforcement personnel of any State or local government, including an Indian tribe, when deemed economical and in the public interest, through cooperative agreement or contract, to act as law enforcement officers to

enforce Federal laws and regulations within a Reclamation project or on Reclamation lands with such enforcement powers as may be so assigned to them by the Secretary;

(3) cooperate with any State or local government, including an Indian tribe, in the enforcement of the laws or ordinances of that State or local government; and

(4) provide reimbursement to a State or local government, including an Indian tribe, for expenditures incurred in connection with activities under paragraph (2).

(d) **POWERS OF LAW ENFORCEMENT OFFICERS.**—A law enforcement officer authorized by the Secretary of the Interior under subsection (c) may—

(1) carry firearms within a Reclamation project or on Reclamation lands;

(2) make arrests without warrants for—

(A) any offense against the United States committed in his presence; or

(B) any felony cognizable under the laws of the United States if he has—

(i) reasonable grounds to believe that the person to be arrested has committed or is committing such a felony, and

(ii) such arrest occurs within a Reclamation project or on Reclamation lands or the person to be arrested is fleeing therefrom to avoid arrest;

(3) execute within a Reclamation project or on Reclamation lands any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law for any offense committed within a Reclamation project or on Reclamation lands; and

(4) conduct investigations within a Reclamation project or on Reclamation lands of offenses against the United States committed within a Reclamation project or on Reclamation lands if the Federal law enforcement agency having investigative jurisdiction over the offense committed declines to investigate the offense.

(e) **LEGAL STATUS OF STATE OR LOCAL LAW ENFORCEMENT OFFICERS.**—

(1) **STATE OR LOCAL OFFICERS NOT FEDERAL EMPLOYEES.**—Except as otherwise provided in this section, a law enforcement officer of any State or local government, including an Indian tribe, authorized to act as a law enforcement officer under subsection (c) shall not be deemed to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, employment discrimination, leave, unemployment compensation, and Federal benefits.

(2) **APPLICATION OF FEDERAL TORT CLAIMS ACT.**—For purposes of chapter 171 of title 28, United States Code (commonly known as the Federal Tort Claims Act), a law enforcement officer of any State or local government, including an Indian tribe, shall, when acting as a law enforcement officer under subsection (c) and while under Federal supervision and control, and only when carrying out Federal law enforcement responsibilities, be considered a Federal employee.

(3) **AVAILABILITY OF WORKERS COMPENSATION.**—For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, a law enforcement officer of any State or local government, including an Indian tribe, shall, when acting as a law enforcement officer under subsection (c) and while under Federal supervision and control, and only when carrying out Federal law enforcement responsibilities, be deemed a civil service employee of the United States within the meaning of the term employee as defined in section 8101 of title 5, and the provisions of that subchapter shall apply. Benefits under such subchapter shall be reduced by

the amount of any entitlement to State or local workers compensation benefits arising out of the same injury or death.

(f) **CONCURRENT JURISDICTION.**—Nothing in this section shall be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency, or to affect any existing right of a State or local government, including an Indian tribe, to exercise civil and criminal jurisdiction within a Reclamation project or on Reclamation lands.

(g) **REGULATIONS.**—Except for the authority provided in section 2(c)(1), the law enforcement authorities provided for in this section may be exercised only pursuant to regulations issued by the Secretary of the Interior and approved by the Attorney General.

(h) **DEFINITIONS.**—In this section:

(1) **LAW ENFORCEMENT PERSONNEL.**—The term “law enforcement personnel” means an employee of a Federal, State, or local government agency, including an Indian tribal agency, who has successfully completed law enforcement training approved by the Secretary and is authorized to carry firearms, make arrests, and execute service of process to enforce criminal laws of his or her employing jurisdiction.

(2) **RECLAMATION PROJECT; RECLAMATION LANDS.**—The terms “Reclamation project” and “Reclamation lands” have the meaning given such terms in section 2803 of the Reclamation Projects Authorization and Adjustment Act of 1992 (16 U.S.C. 4601 32).

The **SPEAKER** pro tempore (Mr. HANSEN). Pursuant to the rule, the gentleman from California (Mr. CALVERT) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Bureau of Reclamation is responsible for protecting 348 Federal dams, 58 hydroelectric power plants, and over 8 million acres of Federal property that contain 300 recreation areas hosting over 90 million visitors each year. Yet, they do not have the authority to contract with any entity to ensure that Federal law is enforced at these facilities.

While Reclamation can contact State and local law enforcement agencies to enforce State and local laws, these entities cannot enforce Federal laws within a Reclamation project or on Reclamation-administered lands.

There continue to be incidents reported by Reclamation field offices regarding criminal acts on these lands and facilities that threaten public safety and property. This bill will vest the Bureau of Reclamation with the authority to contract with other Federal, State, tribal, or local law enforcement entities to provide services at Bureau of Reclamation facilities.

This legislation does not create a new law enforcement agency within the Bureau; it does allow Reclamation to contract with existing agencies, and reimburses them for law enforcement services.

These measures, especially in times such as we are in today, are not only prudent, they are essential. The administration has placed high priority on correcting this situation, and I urge

Members to take action, and to do so by supporting this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2925, as amended, would assist in law enforcement efforts at the Bureau of Reclamation facilities in 17 western States. Despite the agency's responsibility to manage more than 300 dams and reservoirs and 58 hydroelectric power plants, the Secretary of the Interior lacks the adequate authority to enforce Federal law at Bureau of Reclamation facilities. There are often violations of Federal law, including vandalism, theft, trespass, and threats to the security of the facilities.

H.R. 2925, as amended, would authorize the Secretary to contract with Federal, State, local and tribal law enforcement agencies to enforce Federal and State laws on Reclamation lands. The bill would authorize the Secretary to contract with an adjacent landowner, such as the Forest Service or the local police department, to enforce laws on Reclamation lands. The bill would also authorize the Secretary to pay the law enforcement agencies for their services.

The administration supports this bill. Given our support for the safety of our water supply, this legislation, as amended, deserves our support. I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

Mr. CALVERT. Mr. Speaker, I yield back the balance of my time.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from California (Mr. CALVERT) that the House suspend the rules and pass the bill, H.R. 2925, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## MOCCASIN BEND NATIONAL HISTORIC SITE ESTABLISHMENT ACT

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 980) to establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System, as amended.

The Clerk read as follows:

H.R. 980

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Moccasin Bend National Historic Site Establishment Act”.*

### SEC. 2. DEFINITIONS.

*For the purposes of this Act the following definitions apply:*

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **HISTORIC SITE.**—The term “historic site” means the Moccasin Bend National Historic Site.